

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Tyrone Noel Nunn,

Petitioner,

v.

District of Nevada, *et al.*,

Respondents.

Case No. 3:23-cv-00462-ART-CSD

Order Denying Motions in Closed
Case

Tyrone Noel Nunn attempted to initiate a *pro se* petition for writ of habeas corpus under 28 U.S.C. § 2254. But he only submitted a handwritten motion for appointment of counsel. The Court therefore dismissed the action without prejudice as improperly commenced and closed this case. (ECF No. 3.) Judgment was entered. (ECF No. 4.)

Seven months later Nunn has filed what he styled as an amended petition, as well as motions for counsel and for service of summons. (ECF Nos. 5, 6, 7.) But he may not file a purported amended petition in this closed case. If he wishes to pursue federal habeas relief, he must file a petition on the Court's § 2254 form in a new case with a new case number along with either the \$5.00 filing fee or a fully completed application to proceed *in forma pauperis*. The Court further notes that the Notice of Electronic Filing for the amended petition and the two motions was returned undeliverable with the notation that Nunn is not at Ely State Prison, his address of record. (ECF No. 9.)

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1 It is therefore ordered that the motion for appointment of counsel and the
2 motion for service of summons **(ECF Nos. 6 and 7) are both DENIED**. A
3 certificate of appealability will not issue.

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5 DATED THIS 2nd day of July 2024.

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10 ANNE R. TRAUM
11 UNITED STATES DISTRICT JUDGE
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